

STATE OF SOUTH CAROLINA
BEFORE THE PUBLIC SERVICE COMMISSION
DOCKET NO. 2019-239-E

In the Matter of:)	
)	
Dominion Energy South Carolina,)	
Incorporated's Request for Approval)	RESPONSE TO DESC'S MOTION
of an Expanded Portfolio of)	TO STRIKE LATE-FILED
Demand Side Management)	HEARING EXHIBIT 5
Programs, and a Modified Demand)	
Side Management Rate Rider)	
)	
)	

The South Carolina State Conference of the NAACP, the South Carolina Coastal Conservation League, and Southern Alliance for Clean Energy (collectively, "Efficiency Intervenors") hereby respond to Dominion Energy South Carolina, Incorporated's ("DESC" or "the Company") Motion to Strike Late Filed Hearing Exhibit 5 of Elizabeth Chant, and respectfully request that the Commission deny the motion for the following reasons.

1. On November 19, 2019, in response to a request by Commissioner Ervin during the evidentiary hearing in this matter, Efficiency Intervenors filed the Late Filed Hearing Exhibit 5 of Elizabeth Chant (the "Late-Filed Exhibit").
2. On December 4, 2019, DESC filed a Motion to Strike Late Filed Hearing Exhibit 5 of Elizabeth Chant, arguing that the Late-Filed Exhibit goes beyond the scope of Commissioner Ervin's request. Contemporaneously with its motion, the Company also filed a Response to the Late Filed Exhibit.

3. An examination of the transcript of the evidentiary hearing in this matter shows that the Late-Filed Exhibit was directly responsive to the request by Commissioner Ervin. During the hearing, Commissioner Ervin asked witness Chant a series of questions regarding “specific examples” of programs and measures to reduce winter peak. Tr. 159-61. At the end of this colloquy, Commissioner Ervin asked Ms. Chant, “Would you be willing to prepare a late-filed exhibit that would outline a specific recommendation in that regard?” Tr. 161: 19-21. Ms. Chant assented, and Commissioner Ervin added, “With an incentivized scale so that the company would benefit if they targeted that winter peak?” Ms. Chant again assented. Tr. 161:23-25.

4. In response to the request by Commissioner Ervin, the Late-Filed Exhibit provides several examples of programs and measures to reduce winter peak. DESC complains that it includes direct load control programs, in addition to energy efficiency measures. Examples of load control programs, however, were responsive to the request. In answering Commissioner Ervin’s questions, and before anyone requested a late-filed exhibit, Ms. Chant referred to “the energy efficiency, the DSM industry.” Tr. 161: 9-10. “DSM” is an acronym for “demand-side management,” an umbrella term that embraces both energy efficiency and demand response (including load control). The examples that Ms. Chant provided of load control programs to reduce winter peak are well within a reasonable interpretation of the scope of the request.

5. DESC also complains that the Late-Filed Exhibit includes a proposed process for creation, stakeholder review, and submission of the resulting programs to the Commission for approval. In the back-and-forth leading up to the request for a late-filed exhibit, Commissioner Ervin asked whether the Company was utilizing efforts to reduce

peak load, and Ms. Chant answered that she “couldn’t see in the program plan a real prioritization of those efforts.” Tr. 161: 13-16. Immediately after that exchange, Commissioner Ervin asked Ms. Chant whether she would be “willing to prepare a late-filed exhibit that would outline a specific recommendation in that regard.” Tr. 16: 19-20. The process recommendations in the Late-Filed Exhibit offer a path toward prioritizing winter peak reduction efforts, on the assumption that a toothless set of recommendations would not be useful to the Commission.

6. With regard to the sliding scale incentive, DESC objects to new proposed targets for achieving energy savings, and the requirement that these targets be met before an incentive is earned. The latter element is not new, however, and was included in Ms. Chant’s pre-filed direct and surrebuttal testimony. And it is ironic that DESC would complain about the new, lower targets (0.5%, 0.6% and 0.7% of sales), when it objected to higher targets in Ms. Chant’s pre-filed testimony. Moreover, the Late-Filed Exhibit’s proposal for a multiplier to provide extra credit for savings from measures reducing or eliminating use of electric resistance heat directly responds to Commissioner Ervin’s request for an “incentivized scale so that the company would benefit if [it] targeted that winter peak[.]”

7. Finally, in no way is DESC prejudiced by the Late-Filed Exhibit. Efficiency Intervenors do not object to the Company’s Response to the Late Filed Exhibit, in which DESC takes issue with Ms. Chant’s recommendations. It is for the Commission to determine the weight to be given the evidence contained in the Late-Filed Exhibit, in light of all of the record evidence.

WHEREFORE, Efficiency Intervenors request that the Commission deny DESC's Motion to Strike Late Filed Hearing Exhibit 5.

Respectfully submitted this 9th day of December, 2019.

s/ William C. Cleveland

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CERTIFICATE OF SERVICE

I hereby certify that the parties listed below have been served via first class U.S. Mail or electronic mail with a copy of the Response to DESC's Motion to Strike of the South Carolina State Conference of the NAACP, the South Carolina Coastal Conservation League, and Southern Alliance for Clean Energy.

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/s/ William C. Cleveland

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